



01038.20539 (20076.69)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: **Michael R. Treat et al.**

Group: 3739

Serial No.: 09/839,988

Examiner: Unknown

Filing Date: April 20, 2001

For: **ELECTROTHERMAL DEVICE FOR COAGULATING, SEALING  
AND CUTTING TISSUE DURING SURGERY**

October 2, 2002

Commissioner for Patents  
Washington, D.C. 20231

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OCT 10 2002

**OFFICE OF PETITIONS**

**RESPONSE TO NOTICE  
TO FILE MISSING PARTS**

SIR:

In response to a Notice to File Missing Parts dated August 15, 2001,

Applicants enclose herewith the following:

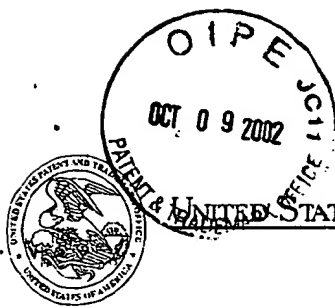
1. a copy of said Notice;
2. a copy of the Declaration filed in parent U.S. patent application  
Serial No. 09/374,563;
3. a Change of Address; and
4. a check in the amount of \$460.00 (small entity).

Respectfully submitted,

REED SMITH LLP

October 2, 2002

By: *William H. Dippert*  
William H. Dippert - Reg. No. 26,723  
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New York, NY 10022  
Tel. (212) 521-5400



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/839,988	04/20/2001	Michael R. Treat	212/324

CONFIRMATION NO. 3108

23371  
CROCKETT & CROCKETT  
24012 CALLE DE LA PLATA  
SUITE 400  
LAGUNA HILLS, CA 92653

## FORMALITIES LETTER



\*OC00000006428161\*

Date Mailed: 08/15/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

RECEIVED

Filing Date Granted

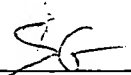
OCT 10 2002

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

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- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$80.
  - \$80 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 920.

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

/10/2002 AHONDAF1 00000082 501529 09839988

FC:201		370.00 OP
FC:205		65.00 OP
FC:202	17.00 CH	25.00 OP



Attorney's Socket: 501038.20539  
Today's Date: October 2, 2002  
Serial No. 09/839,988  
Filing Date: April 20, 2001  
For: ELECTROTHERMAL DEVICE FOR COAGULATING,  
SEALING AND CUTTING TISSUE DURING SURGERY

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FIRST CLASS MAILING CERTIFICATE

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FIRST CLASS MAIL

**Deposited: October 2, 2002**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231.

William H. Dippert

Reg. No. 26,723